

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

REUBEN AVENT,

Plaintiff,

-against-

KEYBANK, *et al.*,

Defendants.

21-CV-01287 (CM)

ORDER OF DISMISSAL

COLLEEN McMAHON, Chief United States District Judge:

Plaintiff, appearing *pro se*, brings this action, under 42 U.S.C. § 1982, alleging that Defendants — Keybank, the New York State Department of Labor, and employees of both entities — violated his federally protected rights. The Court dismisses the complaint without prejudice for the following reasons.

Plaintiff submitted this complaint on February 12, 2021, without paying the relevant fees or requesting leave to proceed *in forma pauperis* (IFP). On February 18, 2021, Plaintiff submitted a substantially similar complaint, with an IFP application. That case is presently pending under docket number ECF 1:21-CV-01466, 1. As this complaint raises the same claims, no useful purpose would be served by litigating this duplicate lawsuit. Therefore, this complaint is dismissed without prejudice to Plaintiff's pending case under docket number 1:21-CV-01466.

The Clerk of Court is directed to mail a copy of this order to Plaintiff and note service on the docket. Plaintiff's complaint is dismissed as duplicative.

The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this order would not be taken in good faith and therefore *in forma pauperis* status is denied for the purpose of an appeal. *See Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: March 1, 2021
New York, New York

A handwritten signature in black ink, appearing to read "Colleen McMahon", is written over a horizontal line.

COLLEEN McMAHON
Chief United States District Judge